

REMARKS/AGRUMENTS

This Amendment is in response to the Office Action mailed January 16, 2004. In the Office Action, claims 1-6, and 11 are rejected under 35 U.S.C. § 103(a). Claims 7-8 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claims 9-10 have been allowed. Claims 2 and 6 have been cancelled without prejudice while claims 1, and 5 have been amended. New claims 12-14 are presented. It is respectfully submitted that no new matter has been added. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Claims Rejected Under 35 U.S.C. §103(a)

A. *Sashiro in view Kobayashi*

The Examiner rejects Claims 1-6 and 11 under 35 U.S.C. 103(a) as being obvious over Patent No. JP 2000-149765 of Sashiro (“Sashiro”) in view of U.S. Patent No. 4,568,852 of Kobayashi et al. (“Kobayashi”). Applicants respectfully traverse this rejection. In regard to the rejection of claims 1-6 and 11, the Examiner states that:

“Sashiro fails to clearly point out the cap being made of an X-ray shielding material...Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the display of Sashiro with the CRT with coolant and reduced X-ray emission with a glass panel (19) made of an X-ray shielding material in order to prevent X-ray leakage and blackening phenomenon caused by overheating, as taught by Kobayashi.”

(1/16/04, Office Action, p. 3)

Applicants respectfully submit that claims 1-6 and 11 are not obvious in view of the combination of Sashiro and Kobayashi. In order to render a claim obvious, the relied upon references must teach or suggest every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art.

The combination of Sashiro and Kobayashi lacks one or more features of rejected claim 1. Particularly, the combination of Sashiro and Kobayashi does not describe *a cap made of an X-ray shielding material having...a cylindrical-shaped bottom to cover the display portion of the*

envelope and a front side surface of the envelope through the gap. (Claim 1, emphasis added)

The Examiner conceded that Sashiro does not disclose that the cap can be made of an X-ray shielding material, and consequently does not describe a cap with the additional features emphasized above. Nor does Kobayashi describe these features as shown by the following analysis.

Kobayashi teaches a cathode ray tube with liquid coolant and reduced x-ray emission. (Kobayashi, title) Kobayashi's tube (Fig. 2) includes a glass panel 19 in front of the phosphor panel 15 through a spacer 18, with the spacing filled by liquid coolant 20. (Kobayashi, col. 3, ll. 64-66) As shown by Kobayashi's Fig. 2, the glass panel 19 (that the Examiner describes as applicants' cap) is a flat glass plate. Because Kobayashi's glass panel 19 is flat, the liquid coolant 20 only cools the display surface of a cathode ray tube. In contrast, applicants' cap of claim 1 covers the display portion and a front side surface of the envelope. Consequently, the x-rays from the side of an envelope can be shielded, and the glass tube of the envelope can be made thin. Thus, Kobayashi's flat glass plate panel 19 does not teach or suggest applicants' cap having a *cylindrical-shaped bottom* as claimed in claim 1.

Claims 2, 4-5, 7-8, and 11 depend from independent Claim 1 and contain all of the limitations thereof. Therefore, the discussion above regarding Sashiro and Kobayashi's failure to teach a cap having a cylindrical-shaped bottom to cover the display portion of the envelope and the front side-surface of the envelope in Claim 1 is equally applicable to an obviousness rejection of Claims 2, 4-5, 7-8, and 11. Thus, because neither, Sashiro nor Kobayashi disclose applicants' claim 1, applicants respectfully submit that claims 1, 2, 4-5, 7-8, and 11 are not obvious under 35 U.S.C. §103(a) by Sashiro in view of Kobayashi.

Allowable Subject Matter

Applicants note with appreciation the Examiner's indication that Claims 7-8 would be allowable if rewritten in independent form to include all of the limitations of the base claims and any intervening claims. Applicants have rewritten Claims 7-8 in independent form to include all of the limitations of the base claims and any intervening claims as new claims 12 -13.

Accordingly, Applicants respectfully submit Claims 12-13 are in condition for allowance.

New Claims

Applicants have added new Claim 14. New Claim 14 depends from independent Claim 1 and contains all of the limitations thereof. Therefore, at least for the reasons discussed above regarding Claim 1, Applicants believe Claim 14 is in condition for allowance.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (408) 947-8200.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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